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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE USA, INC., et al.,
Plaintiffs,
v.
SAP AG, et al.,
Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DEFENDANTS' REVISED SPECIAL
VERDICT FORM**

1 Pursuant to the Court's order at the November 1, 2010 proceedings and in light of
2 additional stipulations reached by the Parties, Defendants submit the attached Revised Special
3 Verdict Form.

4 Dated: November 4, 2010

JONES DAY

6 By: /s/ Tharan Gregory Lanier

7 Tharan Gregory Lanier

8 Counsel for Defendants
9 SAP AG, SAP AMERICA, INC., and
10 TOMORROWNOW, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORACLE USA, INC., ORACLE
INTERNATIONAL CORP., and SIEBEL
SYSTEMS, INC.

Plaintiffs,

v.

TOMORROWNOW, INC., SAP AMERICA,
INC., AND SAP AG

Defendants.

Case No. 07-CV-1658 PJH (EDL)

SPECIAL VERDICT FORM

We, the jury in the above-entitled action, find the following special verdict on the questions submitted to us:

Actual Damages for Copyright Infringement

1. What is the dollar amount, if any, that Oracle International Corp. proved by a preponderance of the evidence that it is entitled to from Defendants as actual damages under its copyright infringement claim, in the form of EITHER a hypothetical license OR lost profits?

HYPOTHETICAL LICENSE: \$_____ OR

LOST PROFITS: \$_____.

If you assigned actual damages in the form of a hypothetical license, please proceed to the end of the form (*i.e. Do not answer question 2*). If you assigned actual damages in the form of lost profits, please proceed to the following question.

Infringer's Profits for Copyright Infringement

2. What is the dollar amount, if any, that Oracle International Corp. proved by a preponderance of the evidence that it is entitled to from Defendants as infringer's profits under its copyright infringement claim?

\$_____.

Proceed to following question.

Have the presiding juror sign and date this form.

Signed: _____ Dated: _____
Presiding Juror